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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF ARIZONA**

11 Cleopatra Martinez,

No. CV 15-01759-PHX-NVW

12 Plaintiff,

**MOTION TO FILE DEFENDANTS'  
 TASK-BASED ITEMIZED  
 STATEMENT OF FEES AND  
 EXPENSES AND FEE  
 AGREEMENT UNDER SEAL**

13 v.

14 Maricopa County Community College  
 15 District; et al.,

16 Defendants.

17  
 18 Defendants Maricopa County Community College District, Rufus Glasper, Ph.D.  
 19 and Debra Glasper (“Defendants”), by and through their undersigned counsel,  
 20 respectfully request leave of the Court to file their Task-Based Itemized Statement of  
 21 Fees and Expenses (“Itemized Statement”) and Fee Agreement in support of Defendants’  
 22 Motion for Attorneys’ Fees and Costs (Doc. 95) under seal.

23 Local Rule 54.2(d)(3) provides that “Counsel may seek leave of Court to file such  
 24 statement under seal if deemed necessary to prevent the disclosure of information  
 25 protected by the attorney-client privilege and attorney work-product doctrine.”  
 26 Defendants’ Itemized Statement contains detailed narratives of the work which they  
 27 performed and the legal strategies which they employed. These communications  
 28 between counsel and their clients are privileged and Defendants do not wish to waive the

1 privilege. As the above-referenced local rule recognizes, a party's ability to seek  
2 attorneys' fees and costs should not be premised or contingent upon a waiver of the  
3 privilege. Accordingly, Defendants respectfully submit that they should be permitted to  
4 file their Itemized Statement and Fee Agreement under seal.

5 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of November 2017.

6 FISHER & PHILLIPS LLP

7 By s/ Shayna H. Balch

8 Pavneet Singh Uppal

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12 Attorneys for Defendants

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## **CERTIFICATE OF SERVICE**

I hereby certify that on November 15, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant(s):

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